

1 RANDOLPH L. HOWARD, ESQ.  
2 Nevada Bar No. 006688  
3 SHLOMO S. SHERMAN, ESQ.  
4 Nevada Bar No. 009688  
5 **KOLESAR & LEATHAM**  
6 400 South Rampart Boulevard, Suite 400  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 362-7800  
9 Facsimile: (702) 362-9472  
10 E-Mail: rhoward@klnevada.com  
11 ssherman@klnevada.com

12 Attorneys for Judgment Creditor  
13 AMERICAN BOARD OF SURGERY, INC.

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 \*\*\*

17 AMERICAN BOARD OF SURGERY, INC.,

18 Case No. 2:11-cv-01350

19 Plaintiff/Judgment Creditor,

20 vs.

21 KEITH A. LASKO, et al.,

22 Defendants/Judgment Debtors.

23 **STIPULATION AND ORDER RE MOTION TO DETERMINE EXEMPT STATUS**

24 Judgment Creditor, AMERICAN BOARD OF SURGERY, INC. ("Judgment Creditor"), by  
25 and through its undersigned attorneys of the law firm Kolesar & Leatham, together with Judgment  
26 Debtor Keith A. Lasko, by and through his counsel Karl J. Andersen, Esq. of the Law Offices of  
27 Karl Andersen, PC ("Judgment Debtor") hereby submit their consensual resolution of the Motion  
28 to Determine Exempt Status filed by Judgment Creditor, and stipulate and agree as follows:

29 **I**

30 **RECITALS**

31 1. On or about January 7, 2011, a judgment was entered against Judgment Debtor

1 KEITH A. LASKO (the “Judgment Debtor”) in the United States District Court for the Eastern  
2 District of Pennsylvania as Docket No. 46 of that the court’s docket.

3 2. On or about March 1, 2011, the aforementioned judgment was registered with this  
4 Court pursuant to 28 U.S.C. § 1963 (the “Judgment”) as Docket No. 1.

5 3. In connection with the Judgment, the Clerk of this Court issued a Writ of Execution  
6 for the purpose of satisfying the Judgment out of the Judgment Debtor’s assets. *See* Docket No. 4.

7 4. Judgment Creditor thereafter instructed the U.S. Marshall to seize two vehicles  
8 registered to the Judgment Debtor in the State of Nevada: one 2002 Mercedes-Benz, VIN  
9 WDBRF64J52F233284 (the “Mercedes”), and one 1993 BMW, VIN WBACB4313PFL06309 (the  
10 “BMW,” and collectively with the Mercedes, the “Vehicles”) to be auctioned in partial satisfaction  
11 of the Judgment.

12 5. On August 6, 2011, the U.S. Marshall seized both Vehicles.

13 6. Section 21.090(1) of the Nevada Revised Statutes provides that “[t]he following  
14 property is exempt from execution, except as otherwise specifically provided in this section or  
15 required by federal law... (f) Except as otherwise provided in paragraph (p), *one vehicle* if the  
16 judgment debtor’s equity does not exceed \$15,000 or the creditor is paid an amount equal to any  
17 excess above that equity.” (Emphasis added.)

18 7. Judgment Debtor has elected to claim the Mercedes as his one exempt vehicle under  
19 N.R.S. § 21.090(1).

20 8. Judgment Creditor agrees not to contest Judgment Debtor’s election.

21 9. Judgment Debtor has agreed not to contest the sale of the BMW in partial  
22 satisfaction of the Judgment.

23 WHEREFORE it is hereby stipulated and agreed that:

24 A. The Mercedes shall constitute Judgment Debtor’s exempt vehicle under N.R.S. §  
25 21.090(1)(f);

26 B. The U.S. Marshall and/or its designated custodian is hereby directed to release the  
27 Mercedes to Judgment Debtor forthwith;

28 C. The U.S. Marshall is hereby directed to sell the BMW pursuant to the Writ of

KOLEsar & LEATHAM  
400 South Rampart Boulevard, Ste. 400  
Las Vegas, Nevada 89145  
Tel: (702) 362-7800 / Fax: (702) 362-9472

1 Execution and to apply the net proceeds therefrom in partial satisfaction of the Judgment.

2 DATED this 15th day of August, 2011.

3 **KOLESAR & LEATHAM**

4 By 

5 RANDOLPH L. HOWARD, ESQ.  
Nevada Bar No. 006688  
6 SHLOMO S. SHERMAN, ESQ.  
Nevada Bar No. 009688  
7 400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145  
8  
9 Attorneys for Judgment Creditor,  
AMERICAN BOARD OF SURGERY, INC.

LAW OFFICES OF KARL ANDERSEN, PC

By 

KARL J. ANDERSEN  
Nevada Bar No. 10306  
10161 Park Run Dr. Suite 150  
Las Vegas, NV 89145

11 Attorney for Judgment Debtor  
KEITH A. LASKO

12 **ORDER**

13 **IT IS SO ORDERED** this 6th day of September, 2011.

14   
15 Gloria M. Navarro  
United States District Judge

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
KOLESAR & LEATHAM  
400 South Rampart Boulevard, Ste. 400  
Las Vegas, Nevada 89145  
Tel: (702) 362-7800 / Fax: (702) 362-9472